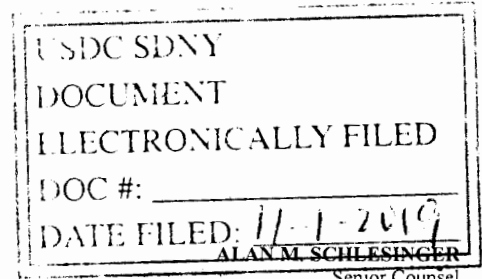




GEORGIA M. PESTANA  
Acting Corporation Counsel

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(E-Mail Not For Service Of Papers)

October 30, 2019

**By ECF**

Honorable Laura Taylor Swain  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

**MEMO ENDORSED**

Re: *Correction Officers' Benevolent Ass'n v. City Of New York, et al.*,  
17 Civ. 2899 (LTS)  
Our No. 2017-018199

Dear Judge Swain:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, attorney for defendants in the above-referenced action. Defendants write on behalf of all parties to request that the control conference scheduled for November 8, 2019, be adjourned to a date convenient to the Court after resolution of the pending motion to amend the complaint. *See* order scheduling control conference for November 8, 2019 (order, September 23, 2019, Dkt. No. 90).

In this case, the Court granted defendants' motion to dismiss the original complaint and granted plaintiffs the opportunity to move to replead. *See* order (Dkt. No. 51). Plaintiffs have moved to amend the complaint. *See* plaintiffs' motion to amend (Dkt. Nos. 60-61). Defendants opposed plaintiffs' motion (defendants' opposition to plaintiffs' motion, Dkt. No. 67) and plaintiffs replied (Dkt. Nos. 74-76). The Court ordered supplemental briefing on plaintiffs' motion (Dkt. No. 79) and the parties completed supplemental briefing on June 14, 2019. *See* supplemental briefing (Dkt. Nos. 87 and 88). Plaintiffs' motion to amend the complaint, with supplemental briefing, is pending before the Court.

The parties believe that a conference prior to resolution of plaintiffs' motion to amend the complaint would be unproductive. We therefore request that the control conference scheduled for November 8<sup>th</sup> be adjourned to a date convenient to the Court after resolution of plaintiffs' motion to amend.

**HONORABLE LAURA TAYLOR SWAIN**

United States District Judge

*Correction Officers' Benevolent Ass'n v. City Of New York, et al.,*

17 Civ. 2899 (LTS)

October 30, 2019

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Thank you for your consideration of this request.

Respectfully submitted,

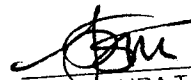
/s/ *Alan Maer Schlesinger*

Alan M. Schlesinger  
Assistant Corporation Counsel

cc: Cynthia Devasia  
Koehler & Isaacs, LLP  
(By ECF)

*The conference is  
adjourned to  
December 6, 2019 at  
10:30 AM. DE #91 resolved.*

SO ORDERED:

 11/1/19  
\_\_\_\_\_  
HON. LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE